

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MANAFF KULAI-BEY,

Plaintiff,

v.

P.J.R. & ASSOCIATES, INC., and
CLEARANCE WARNER,

Defendants.

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No. 4:19-CV-1528 NCC

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. Plaintiff Manaff Kulai-Bey commenced this civil action on May 24, 2019, by filing a complaint under 42 U.S.C. § 1983 against two defendants. On June 3, 2019, the Court entered an Order directing plaintiff to file an amended complaint on the Court-provided form, and to either pay the \$400 filing fee or submit a motion to proceed without prepaying fees or costs. Local Rule 2.01(B) authorizes the Clerk of Court to refuse to receive any pleadings “until the applicable statutory fee is paid, except in cases accompanied by a completed application to proceed in forma pauperis.” The Court cautioned plaintiff that his failure to timely comply with the order would result in the dismissal of his case. Plaintiff’s response was due by July 3, 2019.

To date, plaintiff has neither responded to the Court’s order, nor sought additional time to do so. Plaintiff was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply. The Court will therefore dismiss this action, without prejudice, due to plaintiff’s failure to comply with the Court’s June 3, 2019, Order and his failure to prosecute his case. *See* Fed. R. Civ. P. 41(b); *see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (the authority of a court to dismiss

sua sponte for lack of prosecution is inherent power governed “by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases”); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff’s failure to comply with any court order).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 16th day of July, 2019.

A handwritten signature in black ink, reading "Ronnie L. White", written over a horizontal line.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE